

# **DUCHESNE COUNTY**

# INVITATION TO BID FOR

Engineering Services for the Duchesne County Road

Department Crack Sealing Project

PREPARED BY:

DUCHESNE COUNTY ROAD DEPARTMENT 2/26/2020

# Table of Contents

l.	Invitation to Bid 3
	A. Purpose
	B. Bid Contact
	C. Proposal Due Date
	D. Basis of Award
	E. Award Date
II.	Scope of Services
III.	Instructions for Bidders5
	A. General Bid Requirements
	B. Right to Reject Bids
IV.	Official Bid
V.	Contract 8
	A. Scope of Services
	B. Completion Date
	C. Contract Jurisdiction, Choice of Law, and Venue
	D. Laws and Regulations
	E. Independent Contractor
	F. Interpretation of Contract
	G. Serviceability
	H. Modification
	I. Entirety of Contract
	J. Termination Clause
	K. Indemnification and Hold Harmless Agreement

# I. Invitation to Bid

# A. Purpose

Duchesne County is soliciting bids from qualified individuals for pre-construction engineering services for the Duchesne County Road Department crack sealing project. There is approximately 24.2 center lane miles of roadway in the project. (See attached map)

### B. Information Regarding the Bid can be Obtained by Contacting:

Duchesne County Road Department (435) 738-2468 PO BOX 356 Duchesne UT, 84021 20800 West East River Road Duchesne, UT 84021

# C. Proposal Due Date

All bids are due in the Road Department of Duchesne County located at the above address on or before March 19, 2020 at 5:30 P.M ("Opening Date and Time"). Any bid received after this time will be considered late and subject to be returned unopened to the bidder. Bids shall clearly indicate the name, address, and telephone number of the bidder. Bids shall be signed and dated by a person with the authority to legally bind the bidder to the submitted Official Bid.

#### D. Basis of Award

The contract will be awarded to the lowest responsive, responsible bidder. The term "responsive bidder" means a person or business entity that has submitted a bid which conforms in all material respects to the invitation to bid. The term "responsible bidder" means a person or business entity who has the capability in all respects to fully perform the contract requirements and who has the integrity and reliability which will assure good faith performance. In determining who is the lowest responsive, responsible bidder, in addition to price, the County may consider factors relevant to the successful operation of the County's business and the best interests of the County as a whole.

#### E. Award Date

The name of the bidder awarded the contract will be announced on March 13, 2020.

# II. Scope of Services

The bidder awarded the contract will be expected to perform the following services upon execution of a contract with the County:

#### A. Pre-Construction

#### i. Plans and Specifications Preparation

Prepare construction plan specifications for the project. The preparation of these
documents will ensure that interested contractors are bidding the project with
minimal confusion and that Duchesne County is protected by appropriate bonds,
agreements and conditions.

#### ii. Contractor Procurement

1. Assist Duchesne County with the advertisement and contractor procurement process. This will involve writing the advertisement, answering contractor inquiries, preparing addendums to the contract documents, and assisting at the bid openings of the different contracts.

#### iii. Assumptions and Limitations

- 1. No environmental surveys are included in the scope of work.
- 2. No topographic survey is included in the scope of work.
- 3. Wetland delineation is not included in the scope of work.
- 4. Cultural resource research and surveys are not included in the scope of work.

#### B. Construction Phase

#### i. Construction Management

1. Administer the construction process. This includes attending or managing coordination meetings (if required), compilation of partial pay estimates, submittal review, budget tracking and other critical tasks.

#### ii. Construction Observation

 Provide construction observation to handle project issues as they arise and to verify that the contractor is in general compliance with the plans and specifications.

#### iii. Contract Record Drawings and Final GIS

1. Provide the final GIS data to Duchesne County generated during the project. This information can be used in future years to fine-tune the pavement management program.

## III. Instructions for Bidders

## A. General Bid Requirements

- i. The Official Bid sheet included in this Invitation to Bid must be fully completed and returned with the bid amount. Type or neatly print the date, company name, and the full legal name and title of the person(s) signing the Bid in the place provided at the bottom of Section IV Official Bid.
- ii. Five (5) copies of Bid must be submitted.
- iii. The envelope in which the Official Bid sheet is submitted must be sealed and clearly labeled with the Project title and the name of the company or individual submitting the proposal. Official Bids must be received by the opening date and time shown on this Bid in order to be considered.
- iv. The original and the required number of copies of the Bid must be returned to:

**Duchesne County Road Department** 

(435) 738-2468

PO BOX 356 Duchesne UT, 84021

20800 West East River Road Duchesne, UT 84021

- V. All Bid prices must be audited by the Bidder to ensure correctness before the Bid is submitted. The Bidder is solely responsible for the accuracy of information placed on a Bid sheet, including prices. Clerical or mathematical error is insufficient to void a successful Bid but a Bidder may withdraw a sealed Bid prior to opening without a penalty.
- vi. A Bidder may submit only one (1) Bid response for each specific Bid solicitation unless otherwise authorized in the specifications.
- vii. All prices submitted by the Bidder to Duchesne County must be guaranteed by the authorized person(s) against any price increase for the time period designated in the Bid specifications, and Duchesne County must be given the benefit of any price decrease occurring during such designated time period.
- viii. All Bidders must specify in the Bid response the earliest actual delivery date for each item unless otherwise specified in writing by Duchesne County. The delivery date may be a factor in deciding the Bidder's capability to perform.
  - ix. All invoices must reflect a Duchesne County Purchase Order Number, which can be obtained by calling the Road Department Office at (435) 738-2468.

- x. All Bidders must turn in verification of proper licensing and insurance with bid documents. Duchesne County must be entered in as a secondary insured for the dates covering this Project.
- xi. If a successful Bidder is unable or unwilling to enter into a Contract with Duchesne County subsequent to being granted an award, or who fails to perform in accordance with the Bid specifications the Bidder will be subject to damages and all other relief allowed by law.
- xii. Successful Bidders contract directly with Duchesne County and are the party or parties obligated to perform. Contracts may not be assigned or subcontracted and any failure to perform the Contract in accordance with the specifications will constitute a breach of Contract and may result in a Bidder being found to be "non-responsive" in the future. Successful Bidder agrees to not delegate performance obligations and any such delegation of responsibilities is declared void and will not relieve Successful Bidder from liability or performance obligations.
- xiii. In the evaluation of the Bids, any award will be subject to the Bid being: Administratively Compliant- Including all required bonds, insurance, established quality of work and general reputation, financial responsibility, relevant experience, and related criteria.

## B. Right to Reject Bids

The County reserves the right to reject any or all bids and to waive informalities. No bids will be received after the time set for opening bids. Any unauthorized conditions, limitations, or provisions attached to the Bid, except as provided herein, will render it informal and may cause its rejection. Unbalanced bids will be subject to rejection. Any bidder may withdraw his/her bid, wither personally or written request, at any time prior to the scheduled closing time for receipt of bids. Written requests for withdrawal must be in the possession of the County prior to the closing time for receipt of bids.

#### C. Bid Submission Creates No Contract

The information included in this Invitation to Bid is purely informative. Submission of an Official Bid to the County does not create a contract between the County and the submitting bidder.

# IV. Official Bid

Engineering Services for the Duchesne County Road Department Crack Seali	ng Project
Bidder Name:	
Address:	
Telephone Number:	
Facsimile Number:	
Bid Amount \$	
Bidder's Authorized Representative Name:	
Bidder's Authorized Representative's Signature:	
Date:	